

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

GARRETT JEROME WILLIAMS,

Petitioner,

v.

CIVIL ACTION NO. 2:04-cv-00885  
(Criminal No. 2:01-cr-00238)

UNITED STATES OF AMERICA,

Respondent.

**ORDER**


Pending before the court is the petitioner's motion under 28 U.S.C. § 2255 to vacate, set aside or correct sentence [Docket 50]. This action was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the court deny the petitioner's § 2255 motion [Docket 54].

Although the court granted the petitioner's earlier motion to extend the time to file objections to the Magistrate's findings, neither party has filed objections.

Accordingly, the court accepts and incorporates the findings and recommendations of the Magistrate Judge and **DENIES** the petitioner's motion.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER:        October 4, 2005

  
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JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE